

**Notice of Allowability**

Application No.

10/645,236

Examiner

Pritham Prabhakher

Applicant(s)

STAVELY ET AL.

Art Unit

2622

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 05/10/2007.
2. ☒ The allowed claim(s) is/are 1-43.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date <u>08/22/2003</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                     | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other _____   |

## DETAILED ACTION

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jeffrey Limon on 06/25/07.

The application has been amended as follows:

*Claim 43 has been amended as follows: "A photography system, comprising: (a.) means for detecting, in a field of view of a digital camera, the position of a light spot cast on a photographic subject using a remote control; and (b.) means for digitally framing a region from a field of view of the said digital camera to photograph based on the detected position of the light spot."*

### **Allowable Subject Matter**

**Claims 1-43** are allowed.

The following is an examiner's statement of reasons for allowance:

*In regard to **Claim 1**, the closest prior art of record fails to teach or reasonably suggest, "A photography system, comprising: (a.) a remote control that casts a light spot*

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*on a photographic subject; and (b.) a digital camera having a field of view, which digital camera can detect in its field of view the position of the light spot, and which **digital camera selects a region from its field of view to photograph based on the detected position of the light spot.***

Regarding **Claims 2-22**, these claims are allowed as being dependent from allowed independent claim 1.

*In regard to **Claim 23**, the closest prior art of record fails to teach or reasonably suggest, "A method of photography, comprising the steps of: (a.) detecting, in a field of view of a digital camera, a position of a light spot cast on a photographic subject by a remote control; and (b.) **automatically selecting, based on the position of the light spot, a region from the camera's field of view to photograph.**"*

Regarding **Claims 24-42**, these claims are allowed as being dependent from allowed independent claim 23.

*With regard to **Claim 43**, the closest prior art of record fails to teach or reasonably suggest, "A photography system, comprising: (a.) means for detecting, in a field of view of a digital camera, the position of a light spot cast on a photographic subject using a remote control; and **(b.) means for digitally framing a region from a***

**field of view of the said digital camera to photograph based on the detected position of the light spot."**

The following are the closest references found:

**Vaarala (US Patent No.: 7134078B2)** discloses "a presentation system an a user device for use as a presentation aid. The system comprises presentation means for presenting images that associated with a presentation. Pointer means are used for provision of a pointer on an image presented by means of the presentation means. Detector means are for detecting the pointer on the image and for determining the location of the pointer relative to the image. Control means are adapted to provide at least one control function for the presentation based on information from the detector means."

**Matsuoka et al. (US Patent No.: 7039253B2)** discloses "a data processing apparatus that includes a central control section, an image analysis section, a RAM, an external memory section and a user operation input section. The central control section is connected to the image analysis section, the RAM and the external memory section via a bus. Based on image data prepared by an image input section, the image analysis section performs a process of specifying where on the display screen of a display section a portion specified by the image input section lies."

### ***Conclusion***

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pritham Prabhakher whose telephone number is 571-270-1128. The examiner can normally be reached on M-F (7:30-5:00) Alt Friday's Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571)272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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*Pritham. D. Prabhakher*

A handwritten signature in black ink, appearing to read 'David Ometz', with a stylized flourish extending from the end.

DAVID OMETZ  
SUPERVISORY PATENT EXAMINER